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5 Attorneys for Defendants
BAYER HEALTHCARE
6 PHARMACEUTICALS, INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 DAVID MOORE, INDIVIDUALLY AND
ON BEHALF OF THE ESTATE OF
13 KATHRYN C MOORE AND ALL
LEGAL BENEFICIARIES,

14 Plaintiffs,

15 v.

16 BAYER HEALTHCARE
17 PHARMACEUTICALS, INC.; BAYER
SCHERING PHARMA AG; GE
18 HEALTHCARE, INC.; GE
HEALTHCARE AS; MALLINCKRODT,
19 INC.; and BRACCO DIAGNOSTICS,
INC.,

20 Defendants.
21

Case No. CV 10 3181 EMC

**STIPULATION OF PLAINTIFF AND
DEFENDANT BAYER HEALTHCARE
PHARMACEUTICALS, INC. TO EXTEND
TIME FOR DEFENDANT TO FILE A
RESPONSIVE PLEADING ; ORDER**

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23 Pursuant to Local Rule 6-1 of the United States District Court for the Northern District of
24 California, and based on the agreement between counsel for Plaintiff David Moore, individually
25 and on behalf of the estate of Kathryn Moore and all legal beneficiaries, and Defendant Bayer
26 Healthcare Pharmaceuticals, Inc., it is hereby stipulated as follows:

27 The parties agree that the period of time within which Defendant Bayer Healthcare
28 Pharmaceuticals, Inc. may answer or otherwise respond to the Complaint is extended until after

1 the case is transferred to *In Re: Gadolinium Based Contrast Agents Products Liability Litigation*,
2 MDL No. 1909, Case No. 1:09-gd-50000-DAP ("MDL"), pending in the United States District
3 Court of the Northern District of Ohio. Upon transfer, Defendant Bayer Healthcare
4 Pharmaceutical, Inc.'s obligation to file a responsive pleading will be governed by Case
5 Management Order No. 5 issued in the MDL.

6
7 Dated: August 11, 2010

DRINKER BIDDLE & REATH LLP

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9 By: /s/ Rodney M. Hudson
Rodney M. Hudson

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11 Attorneys for Defendants
BAYER HEALTHCARE
12 PHARMACEUTICALS, INC.

13
14 Dated: August 11, 2010

LEVIN SIMES KAISER & GORNICK LLP

15
16 By: /s/ Laura Brandenburg (with permission)
Laura Brandenburg

17 ATTORNEYS FOR PLAINTIFF DAVID
18 MOORE, INDIVIDUALLY AND ON
BEHALF OF THE ESTATE OF KATHRYN
19 MOORE AND ALL LEGAL
20 BENEFICIARIES

21 IT IS SO ORDERED:

22
23 _____
24 Edward M. Chen
U.S. Magistrate Judge

